

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY
COUNTY, VIRGINIA HELD ON THE 12th DAY OF APRIL 1999 AT 7:15 P.M. IN THE
BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Joseph V. Gorman, Jr.	-Chairman
	Mary W. Biggs	-Vice Chairman
	Ira D. Long	-Supervisors
	Annette S. Perkins	
	James D. Politis	
	Larry N. Rush (Arrived 8:20 p.m.)	
	Joe C. Stewart	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Robert C. Parker	-Public Information Officer
	Steve Phillips	-Public Facilities Director
	Robert Isner	-Economic Development Director
	Angela M. Hill	-Financial & Information Services Director
	Vickie L. Swinney	-Secretary

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chairman called the meeting to order and the Pledge of Allegiance was recited.

PUBLIC ADDRESS

Aubrey Sheppard, spoke in opposition to the name change on a portion of Mt. Zion Road to Long Shop Road. Mr. Sheppard said he did not understand the importance in changing the name on a portion of Mt. Zion Road to Long Shop Road and asked the Board to reconsider their decision.

Gary Akers spoke in opposition to the name change on a portion of Mt. Zion Rd to Long Shop Road. Mr. Akers stated his main concern with the name change was the overlapping of emergency services in the area and the possibility of delayed response time it may cause. Mr. Akers asked the Board to reconsider their decision

Charles Roberts spoke as representative of the Montgomery County Taxpayers Association. Mr. Roberts expressed his and the Taxpayers opposition to the proposed real estate tax rate of 70 cents and believe that the County can operate productively with a tax rate of no more than 64 cents per \$100 of assessed value. Mr. Roberts turned in a petition sponsored by the Montgomery Taxpayers Association stating their opposition of the proposed real estate tax rate of 70 cents.

Sherri Cook spoke in opposition to the name change on a portion of Mt. Zion Road to Long Shop Road. Ms. Cook said she has spoken at previous public address sessions concerning this issue and this matter was granted an continuance and a second petition was given to the Board which states the majority of the citizens opposition to the name change. Ms. Cook said this was a conflict of interest on behalf of one of the Board Members. Ms. Cook asked the Board to reconsider their decision.

Larry Martin spoke in opposition to a tax rate increase. Mr. Martin said he had attended all the budget work sessions and the public hearing on the budget. It appears to him that the majority of the people who support a tax increase are the people who would benefit from the increase. The citizens who do not support a tax increase are the ones who cannot afford to pay the increase. The citizens of Montgomery County demand a lower tax rate. Mr. Martin asked the Board of Supervisors not to disappoint the citizens of Montgomery County who have not shown support for a higher tax rate.

Ernestine B. Frith spoke in opposition to a tax rate increase. Ms. Frith asked the Board of Supervisors to be reasonable when setting the tax rate. A higher tax rate would cause a hardship on the citizens of Montgomery County who could not afford to pay a higher rate.

At the request of the Chairman the following letter is entered into the record:

“April 11, 1999

To: Montgomery County Board of Supervisors

From: Montgomery County Taxpayers Association

The continued growth of government spending, especially at the local level, has been monitored very closely by the Montgomery County Taxpayers Association. Local government should not mimic federal and state bureaucrats and politicians with burdensome tax loads.

Local government, more than any other level, has a responsibility to reduce and/or slow the rate of inflation-not be the chief culprit in making it difficult for people to make ends meet. The federal government tells us that the national inflation rate is below two (2) percent. It is not very comforting when the local inflation rate is increased considerably beyond the national rate chiefly because of property tax increases. The Board of Supervisors and other government officials cannot keep doing this to its citizens. You and other officials must develop a “scalpel” attitude when scrutinizing yearly budget requests.

It is time to implement a Montgomery County “grace” commission to recommend areas and/or programs that could be downsized, streamlined or eliminated. There should also be a moratorium on initiating new programs that are not mandated by state or federal law. A good example is the paid retirement and other benefits for school bus drivers. These folks are crucial employees but they are part-time (three hours a day) people who accept employment fully realizing the job responsibilities and benefits. Pay them a competitive salary but not embark upon an entitlement program that will become a million dollar (or more) yearly budget item.

It gets a little old hearing that the budget (and taxes) must be increased by almost double digit percent “to meet the services demanded by citizens in a growing county”.

How much of a demand is there from a majority of citizens for such increases? The demand is not so great from the majority of citizens but from people who occupy government offices. A good example is the April 6, 1999 school board meeting (hearing) on the Blacksburg school building program. Only 50 people attended the meeting and over half were school employees.

The Montgomery County Taxpayers Association believes that Montgomery County government can operate productively and efficiently with a tax rate of no more than 64 cents per \$100 of assessed value to fund the 1999-2000 county budget. “

Add to Agenda-Addendum #1

On a motion by Ira D. Long, seconded by James D. Politis and carried unanimously, the addendum dated April 12, 1999 was added to the agenda as follows:

Into Work Session

FY 1999-2000 Budget and Tax Rate

Out of Work Session

Resolution FY 1999-2000 Budget and Tax Rate

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Larry N. Rush
Joe C. Stewart		
James D. Politis		
Ira D. Long		
Mary W. Biggs		
Joseph V. Gorman, Jr.		

Add to the Agenda - Addendum #2

On a motion by Ira D. Long seconded by Mary W. Biggs and carried unanimously, the addendum dated April 12, 1999 was added to the agenda under Executive Session as follows:

- Section 2.1-344(A) (3) Discussion or Consideration of the Condition, Acquisition or Use of Real Property for Public Purpose
2. Public Facilities
3. Christiansburg Middle School

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Ira D. Long	None	Larry N. Rush
James D. Politis		
Joe C. Stewart		
Annette S. Perkins		
Mary W. Biggs		
Joseph V. Gorman, Jr.		

Remove from the Agenda-Conveyance of Property Right-of-Way Easement

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously, the following item was removed from the agenda at the request of the Chairman:

Conveyance of Property Right-of-Way Easement to VDOT

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Larry N. Rush
Ira D. Long		
James D. Politis		
Joe C. Stewart		
Annette S. Perkins		
Joseph V. Gorman, Jr.		

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by Ira D. Long and carried unanimously, the Consent Agenda dated April 12, 1999 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Joe C. Stewart	None	Larry N. Rush
James D. Politis		
Ira D. Long		
Mary W. Biggs		
Annette S. Perkins		
Joseph V. Gorman, Jr.		

Approval of Minutes

On a motion by Mary W. Biggs, seconded by Ira D. Long and approved unanimously, the Minutes of March 8, 10, 15, and March 17, 1999 were approved.

Inspections Department-Supplemental Appropriation

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 1999 for the function and in the amount as follows:

28001	Inspections	\$6,000
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The source of funds for the foregoing appropriation is as follows:

Revenue Accounts

413308	Building Permits	\$5,000
413310	Electrical Permits	500
413312	Plumbing Permits	<u>500</u>
		\$6,000

Said resolution appropriates monies to cover the cost of a part-time inspector.

Appropriation Adjustment: Department of Social Services

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 1999, for the function and in the amount as follows:

540	Social Services	\$120,655
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

2401-02	Public Assistance	\$120,655
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BE IT FURTHER RESOLVED, That a transfer is authorized as follows:

FROM:

960	Special Contingencies
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Public Assistance (\$25,000)

TO:

540 Social Services \$25,000

Said resolution reduces the appropriation for Temporary Assistance to Needy Families - Foster Care and Adoption Subsidy; appropriates recovered costs for the Medicaid and Adult Care Residency pre-screening monies for other public assistance services; appropriates additional monies for VIEW Working and Transitional Day Care; and transfers funds from Special Contingencies to provide local match.

Recovered Costs: Sheriff

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 1999, for the function and in the amount as follows:

310	Sheriff-County/State	\$10,000
321	DARE	<u>\$ 355</u>
		\$10,355

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

410131	Insurance Recoveries	\$ 4,332
419108	Recovered Costs	\$ 5,668
419117	DARE Contributions	<u>\$ 355</u>
		\$10,355

Said resolution appropriates monies from insurance recoveries, recovered costs from extraditions, restitution paid by inmates for damages to jail property, rebate received on medical supplies, and donations to the DARE program.

Additional Appropriation: Commonwealth Attorney

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 1999, for the function and in the amount as follows:

200	Commonwealth's Attorney	\$ 238
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419104	Confiscations	\$ 238
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Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

Revenue Refunds: Supplemental Appropriation

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year

ending June 30, 1999, for the function and in the amount as follows:

900	Revenue Refunds	\$30,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

411203	Delinquent Property Tax	\$30,000
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Said resolution appropriates sufficient funds for the payment of revenue refunds for the remainder of the year.

Sheriff's Office-Computer Purchase

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to purchase 9 computers for the Sheriff's Office from **Gateway 2000 Major Accounts, Inc.** of North Sioux City, South Dakota, for \$14,953 through State Contract.

Plat - Country Club Estates Easement Boundary Line Adjustment

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

WHEREAS, The Final Plat for the Country Club Estates was previously found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance) on March 14, 1969 (PB 5 DB 19); and

WHEREAS, The developer desires to revise the easement boundary lines for lots 224 & 240 to facilitate better building options; and

WHEREAS, The plat for Lots 224 & 240 Country Club Estates easement boundary line adjustment also meets the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance); and

NOW THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Plat of Lots 224 & 240 Country Club Estates easement boundary line adjustment (Gay & Keese, Inc. [Job #755 - March 18, 1999]) located in the Mt. Tabor Magisterial District.

BE IT FURTHER RESOLVED, The Chairman is hereby authorized to sign said plat for recordation.

E-911 Street Naming-Litton Lane

On a motion by Mary W. Biggs seconded by Ira D. Long and approved unanimously,

WHEREAS, Warm Hearth Inc., located off Warm Hearth Drive, (State Route 766), has petitioned the county to name a private road located off Showalter Drive, (State Route 1217) into the new Health Care Center Litton Lane; and

WHEREAS, Litton Lane complies with the County Street Name Policy.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that, after duly considering said request, the Board approves the use of the name Litton Lane.

OLD BUSINESS

Rezoning Request-Elliston Church of God

On a motion by Joe C. Stewart, seconded by Mary W. Biggs and carried unanimously,

**ORDINANCE: 1999-2
An Ordinance Amending
the Zoning Classification of 0.667 acre
from A-1 (Agriculture) to R-2 (Residential)**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in Compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 0.667 acre of land is hereby amended and rezoned from the zoning classification of A-1 (Agriculture) to R-2 (Residential).

This action was commenced upon the application of Elliston Church of God (Agent: David Shanks).

These tracts or parcels of land are identified as being property shown as Tax Parcel No. 59A-A-41A located at 9335 Roanoke Street.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Larry N. Rush
Ira D. Long		
Mary W. Biggs		
Annette S. Perkins		
Joe C. Stewart		
Joseph V. Gorman, Jr.		

Request for Special Use Permit-Lorraine R. Ryan (United States Cellular)

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That Lorraine R. Ryan (Agent: United States Cellular) request for a Special Use Permit to allow a cellular tower; Tax Parcel No. 71-A-21,22,23,24,28 located approximately 0.5 miles NW of the end of State Route 822 Ryan Road in the Shawsville Magisterial District is approved subject to the following conditions:

1. This permit is to authorize construction of a monopole communications tower. In accordance with the provisions of the zoning ordinance, this permit shall automatically become void if substantial completion has not taken place within two years of the date this permit is approved.
2. The height of the tower and attached antennas shall be no greater than one hundred ninety-nine (199) feet above ground elevation.

3. The tower shall have a galvanized steel finish or be painted a neutral color, so as to reduce visual obtrusiveness. Any dish antennas shall be of a neutral, non-reflective color. No logos or advertising of any type shall be placed on the tower, antennas, or any accompanying facilities.
4. The tower and accompanying facilities shall comply with the co-location policy in the United States Cellular letter of January 29, 1999 with the following amended second paragraph:

"For our existing and proposed standard cellular sites, we typically design the tower to accommodate at least two or more additional communication service providers. It is the standard co-location policy of United States Cellular and its subsidiaries including Ohio State Cellular Phone Company (collectively, the "Company") to admit tenants to attachment locations upon the Company's towers in exchange for any one or more of the following (1) cash rent, (2) goodwill perceived to be gained by promoting public safety or (3) expansion of the Company's cellular facilities and network through reciprocal location on other towers."
5. If the tower is not operated for a continuous period of six (6) months, it shall be considered abandoned and the tower owner shall remove same within ninety (90) days of receipt of notice from the Zoning Administrator. If the tower is not removed per this condition, the Zoning Administrator may require the landowner to remove the tower at the landowner's expense.
6. All Federal Aviation Administration (FAA) requirements shall be met prior to the issuance of any building permits. The tower shall not interfere with flight patterns at any airport.
7. The tower and accessory facilities shall be surrounded by a chain link fence at least eight feet in height, topped with three strands of barbed wire.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Ira D. Long	None	Larry N. Rush
Mary W. Biggs		
Annette S. Perkins		
James D. Politis		
Joe C. Stewart		
Joseph V. Gorman, Jr.		

Comprehensive Plan Amendment

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Montgomery County Comprehensive Plan is hereby amended as follows:

-Add 5.426 acres to the area designated for commercial use on the east side of Route 460 in the Mid-County area located at 165 Jennelle Road.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Joe C. Stewart	None	Larry N. Rush
Ira D. Long		
Mary W. Biggs		
Annette S. Perkins		
James D. Politis		
Joseph V. Gorman, Jr.		

Rezoning Request- Holiday Motor Corporation

On a motion by Joe C. Stewart, seconded by Mary W. Biggs and carried unanimously,

ORDINANCE: 1999-3
An Ordinance Amending
the Zoning Classification of 5.426 acres
from A-1 (Agriculture) to GB (General Business)

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in Compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 5.426 acres of land is hereby amended and rezoned from the zoning classification of A-1 (Agriculture) to GB (General Business).

This action was commenced upon the application of Holiday Motor Corporation (Agent: Anderson & Associates, Inc.).

These tracts or parcels of land are identified as being property shown as Tax Parcel No. 67-(A)-164 located at 165 Jennelle Road.

This ordinance shall take effect upon adoption.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Larry N. Rush
Joe C. Stewart		
Ira D. Long		
Mary W. Biggs		
Annette S. Perkins		
Joseph V. Gorman, Jr.		

Rezoning Request- P&G, L.L.C.

ORDINANCE: 1999-4
An Ordinance Amending
the Zoning Classification of 4.461 acres
from A-1 (Agriculture) to GB (General Business)

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in Compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 4.461 acres of land is hereby amended and rezoned from the zoning classification of A-1 (Agriculture) to GB (General Business) subject to the following proffered condition:

1. The commercial entrance to the subject property will be located as shown on the Site Grading and Erosion and Sediment Control Plan for P&G, L.L.C. dated 4, February, 1999, Anderson & Associates Document No. 16535-002.

This action was commenced upon the application of P&G, L.L.C. (Agent: Anderson & Associates, Inc.).

These tracts or parcels of land are identified as being property shown as part of Tax Parcel No. 67-(A)-161 located at 3963 South Main Street.

This ordinance shall take effect upon adoption.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Larry N. Rush
James D. Politis		
Joe C. Stewart		
Ira D. Long		
Mary W. Biggs		
Joseph V. Gorman, Jr.		

Conveyance of Right-of-Way Easement to AEP

On a motion by James D. Politis, seconded by Ira D. Long and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia, hereby authorizes the conveyance of right-of-way easement to American Electric Power on a portion of the new Merrimac Consolidated Collection Site adjacent to State Route 701 in the Price’s Fork Magisterial District of Montgomery County, Virginia in order to provide electrical services to the new Merrimac Consolidated Collection Site.

BE IT FURTHER RESOLVED, That the Chairman of the Board of Supervisors is hereby authorized to execute the above referenced right-of-way easement to American Electric Power on behalf of the Board of Supervisors of the County of Montgomery, Virginia.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Ira D. Long	None	Larry N. Rush
Annette S. Perkins		
James D. Politis		
Joe C. Stewart		
Mary W. Biggs		
Joseph V. Gorman, Jr.		

NEW BUSINESS

Acknowledge 2232 Review - Plum Creek Consolidated Collection Facility/Recreation Park

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors by Resolution of July 13, 1998, established a policy for Planning Commission review of any public building, structure, facility or area prior to its construction, establishment or authorization in accordance with Section 15.2-2232 of the Code of Virginia, 1950, as amended; and

WHEREAS, The Planning Commission at its Regular Meeting of March 17, 1999, reviewed and approved the Plum Creek Consolidated Collection Facility/ Recreation Park as being substantially in accord with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby acknowledges the findings of the Planning Commission.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Mary W. Biggs	None	Larry N. Rush	Joe C. Stewart
Ira D. Long			

Annette S. Perkins
James D. Politis
Joseph V. Gorman, Jr.

County Business and Professional Occupational License (BPOL) Tax

On a motion for approval by Joe C. Stewart, seconded by James D. Politis,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the proposed resolution to request the Town Council of the Town of Christiansburg, Virginia, and the Town Council of the Town of Blacksburg, Virginia, to grant the County the authorization to impose a County license tax within the Corporate limits of both Towns is hereby **DENIED**.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	Mary W. Biggs	Larry N. Rush
Ira D. Long	Annette S. Perkins	
	Joe C. Stewart	
	Joseph V. Gorman, Jr.	

Award Contract - New River Valley Health Insurance Consortium

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia authorizes the County to join with the New River Valley Consortium to purchase health, dental and vision insurance through Aetna/U.S. Healthcare at the monthly premium amounts shown below effective July 1, 1999:

	AETNA			
	HEALTH	VISION	DENTAL	TOTAL
Employee Only	202.04	2.49	10.82	215.35
Employee and Children	283.71	5.24	18.57	307.52
Employee and Spouse	404.07	5.5	18.57	428.14
Family	493.64	8.14	33.77	535.55

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Larry N. Rush
Ira D. Long		
Annette S. Perkins		
Joe C. Stewart		
James D. Politis		
Joseph V. Gorman, Jr.		

Supervisor Rush arrived at 8:20 p.m.

Board of Supervisors: Transfer from Contingencies

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer is hereby authorized, as follows:

950	General Contingencies	(\$20,000)
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100	Board of Supervisors	\$20,000
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The vote on the foregoing motion was as follows:

Mary W. Biggs
Ira D. Long
Annette S. Perkins
Joseph V. Gorman

James D. Politis
Joe C. Stewart

Larry N. Rush

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried,

150	Commissioner of Revenue	\$ 3,751
160	Treasurer	\$ 5,013
200	Commonwealth Attorney	\$ 6,121
250	Clerk of Circuit Court	\$ 7,138
310	Sheriff	<u>\$297,067</u>
	Total	\$319,090

423100	Shared Expense	\$319,090
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320	Sheriff-County	(\$ 8,000)
950	General Contingencies	(\$ 6,480)
960	Special Contingencies	<u>(\$ 15,046)</u>
	Total	(\$ 29,526)

310	Sheriff	\$ 29,526
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The vote on the foregoing resolution was as follows:

AYE

Ira D. Long

James D. Politis

Mary W. Biggs

Larry N. Rush

Annette S. Perkins

Joseph V. Gorman, Jr.

NAY

Joe C. Stewart

COUNTY ADMINISTRATOR'S REPORT

Information Management System Implementation and Y2K Compliance

The Assistant County Administrator gave a brief summary of Montgomery County's Y2K compliance and system implementation plan. The Information Management System is ongoing, the Financial Core has been installed and training has been completed. The next step is the development and installation of the Tax Assessment (Commissioner of Revenue) and Tax Collection (Treasurer). The last step is the Sheriff and E-911 system. The GIS will be a future addition.

The Y2K compliance is progressing very smoothly. All county department's hardware and software have been tested to see if they are Y2K compliant. Out of 151 machines, 68% are compliant, with 48 machines to be replaced. All software has been tested and is in compliance. All new purchases have Y2K as a mandatory criteria and all suppliers and vendors are to supply the County with certification that all products used will be Y2K compliant.

Comprehensive Plan Amendment

The Planning Director gave a summary on the Comprehensive Plan Amendment. The Board of Supervisors adopted a resolution on February 22, 1999 requesting the Planning Commission to include the Water and Waste Water Study into the Comprehensive Plan. The Planning Commission will hold a public hearing on April, 21, 1999 to hear citizens comments on including the Water and Waste Water Study into the Comprehensive Plan. There is a proposed update plan for review. The plan includes the completed projects and the proposed projects for water and sewer.

Merrimac and Plum Creek Consolidated Collection Sites

The Public Facilities Director gave a report on the status of the Merrimac and the Plum Creek Consolidated Collection Sites. The Merrimac Site is complete and will be open for business on April 13, 1999. The Plum Creek Consolidated Collection Site is underway, the preliminary data is complete and the environmental feasibility study will begin the second week in April.

Alleghany Branch Library

The Public Facilities Director provided an update on the Alleghany Branch Library. The preliminary testing is scheduled for the second week in April.

Falling Branch Industrial Park

The Economic Development Director reported on the status of the Falling Branch Industrial Park.

A house has been removed from the site, some tree trimming work as been completed, and the temporary access road has been completed. The availability of the site will be advertised. Lot 6-A, which has been sold to Prestar Packaging, has been completed and the construction for the new plant is well underway.

Rowe Furniture

The Economic Development Director provided an update on the Rowe Furniture expansion. Rowe Furniture purchased property in the Elliston/Lafayette Industrial Park and construction is scheduled to begin the last week in April. Completion is targeted for the end of 1999.

Governor’s Plan for Economic Development Certification

The Economic Development Director said that the Governor’s Plan for Economic Development Certification provided results from the task force, which shows the strengths and weaknesses of the economic initiatives. Copies will be forwarded to the Board.

INTO WORK SESSION

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors enters into Work Session for the purpose of discussing the following:

-FY 1999-2000 Budget and Tax Rate

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Ira D. Long	
Larry N. Rush	
James D. Politis	
Joe C. Stewart	
Annette S. Perkins	
Joseph V. Gorman, Jr.	

OUT OF WORK SESSION

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors ends their Work Session to Return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
Mary W. Biggs	
Ira D. Long	
Larry N. Rush	
James D. Politis	
Joe C. Stewart	
Joseph V. Gorman, Jr.	

FY 1999-2000 Budget and Tax Rate

On a motion by James D. Politis, seconded by Larry N. Rush and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Annual Budget for Fiscal Year 1999-2000 be and the same is adopted in the amount of **\$87,592,659** which except in the case of the public school budget, shall be for informative and fiscal planning purposes only adopting Plan H with the use of fund balance.

BE IT FURTHER RESOLVED, That the Commissioner of Revenue of Montgomery County, Virginia be, and she is hereby ordered to levy, beginning January 1, 1999 and ending December 31,

1999 the sum of **63¢** Per \$100 of the assessed valuation of real estate based on 100% of fair market value.

FURTHER, The Commissioner of Revenue is instructed to levy for said period other property taxes as follows

<u>Category</u>	<u>Tax Rate Per \$100 of Assessed Valuation</u>
Tangible Personal Property	\$2.45
Machinery and Tools	\$1.82
Merchants Capital	\$6.05

FURTHER, That the Treasurer of Montgomery County, Virginia is hereby directed to collect the taxes so assessed, and the Clerk of the Board shall forward a copy of this order to said Commissioner of Revenue and the Treasurer.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Ira D. Long	Joe C. Stewart
Larry N. Rush	Annette S. Perkins
James D. Politis	Mary W. Biggs
Joseph V. Gorman, Jr.	

BOARD MEMBERS’ REPORTS

Supervisor Perkins reported she will provide copies of the minutes from the Economic Development Commission meeting for the Board’s Friday Report.

Supervisor Biggs reported the School Board will hold a public hearing to discuss the Blacksburg Strand Schools and hopefully will have a recommendation to the Board of Supervisors by the end of April.

Planning Commission Supervisor Biggs reported the Planning Commission will hold a public hearing on April 21, 1999 to discuss the Comprehensive Plan Amendment. The Planning Commission will also discuss the 2232 review for the Alleghany Branch Library.

Supervisor Biggs mentioned her concerns regarding the name change on a portion of Mt. Zion Road to Long Shop Road. She wanted to know the status of the resolution. The Chairman reported that the Board adopted a resolution on March 22, 1999 to change the name to Long Shop Road. This issue can only be brought back to the Board by a Board Member.

Supervisor Rush reported several citizens are concerned about Radford Hospital’s request to change their address from Christiansburg to Radford. The County Administrator explained that the Postal Service has sent out surveys to citizens affected by the proposed address change. The Postal Service will make their decision based upon the responses received back. If the majority of the residents oppose the address change then the address will remain as Christiansburg. The Hospital will not be able to request the address change again for ten years. The Post Office will provide the County with results from the survey.

Supervisor Politis reported several dangerous tree limb are hanging precariously near the road on State Route 602 and State Route 617. He requested the County Administration to contact VDOT about this matter. Supervisor Politis also reported he received a complaint about the condition of the Ballfield at the Mid-County Park.

Chairman Gorman attended the ribbon cutting at the Competitiveness Center. The center received approximately \$2 million in funding. There is already one incubator business in the center.

AEP Land The Chairman requested the County Attorney to find out the status of the property being donated to Montgomery County.

INTO EXECUTIVE SESSION

On a motion by Annette S. Perkins, seconded by Larry N. Rush and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors hereby enters into Executive Session for the purpose of discussing the following:

- Section 2.1-344(A)
- (3)

Discussion or Consideration of the Condition, Acquisition or Use of Real Property for Public Purpose

1. Consolidated Collection Site

2. Public Facilities

3. Christiansburg Middle School
- (7)

Consultation with Legal Counsel and Briefings from Staff Members, Consultants or Attorneys, Pertaining to Actual or Probable Litigation, or Other Specific Legal Matters Requiring the Provision of Legal Advice by Counsel

1. Price’s Fork Petition for Incorporation

2. Shelor vs Nancy W. Miller, Commissioner Writ of Mandamus Suits

3. Shelor vs Nancy W. Miller, Commissioner Declaratory Judgment Suits

4. VML Insurance

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Joe C. Stewart
Ira D. Long		
Mary W. Biggs		
Larry N. Rush		
James D. Politis		
Joseph V. Gorman, Jr.		

OUT OF EXECUTIVE SESSION

On a motion by Mary W. Biggs, seconded by Ira D. Long and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors ends their Executive Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
James D. Politis	None	Joe C. Stewart

Annette S. Perkins
Ira D. Long
Mary W. Biggs
Larry N. Rush
Joseph V. Gorman, Jr.

CERTIFICATION OF EXECUTIVE SESSION

On a motion by Ira D. Long, seconded by Larry N. Rush and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the executive meeting were heard, discussed or considered by the Board.

VOTE

AYES

Larry N. Rush
James D. Politis
Mary W. Biggs
Ira D. Long
Annette S. Perkins
Joseph V. Gorman, Jr.

NAYS

None

ABSENT DURING VOTE

Joe C. Stewart

ABSENT DURING MEETING

Joe C. Stewart

ADJOURNMENT

On a motion by Larry N. Rush, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Monday, April 26, 1999 at 7:15 p.m.

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs
Ira D. Long
James D. Politis
Annette S. Perkins
Larry N. Rush
Joseph V. Gorman, Jr.

NAY

None

ABSENT

Joe C. Stewart

The meeting adjourned at 11:00 p.m.

_____	ATTEST: _____
CHAIRMAN	COUNTY ADMINISTRATOR